

### **REMARKS**

The Office Action dated April 13, 2005 has been reviewed and carefully considered. Claims 21-22 are added. Claims 6 is redrafted into independent form, but is not otherwise revised. Independent claims 8, 16 and 19 are not amended. Claims 1-22 are pending, the independent claims being 1, 4, 6, 8, 15, 16, 18 and 19.

The Search Report of February 27, 2003 was inadvertently not provided on a separate list in compliance with 37 CFR 1.98(a)(1).

Enclosed is a new Information Disclosure Statement believed to comply with 37 CFR 1.98(a)(1).

Claims 1-20 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,798,785 to Hendricks et al. ("Hendricks").

Hendricks generates recommendations in multiple categories based on a weighting of factors, and on program abstracts.

Hendricks fails to disclose or suggest the concurrent generating of claim 6, which occurs "when the record fails to indicate an allocation of the program to one of the programming categories of the plurality of programming categories."

For at least this reason, Hendricks fails to anticipate the present invention as recited in claim 6.

Claim 8 recites, ". . . a program record module operable to identify a first programming category . . . in response to a reception of a first record corresponding to the first program . . ."

Hendricks discloses a user identifying a category in response to a display on a screen, but fails to disclose or suggest the above feature of claim 8.

For at least this reason, the cited reference fails to anticipate the present invention as recited in claim 8.

Claim 16 recites, “. . . computer readable code for generating . . . upon a failure to identify any programming category of the plurality of programming categories as corresponding to the program.”

Hendricks discloses that a program may be in two program categories, but fails to disclose or suggest the above aspect of claim 16.

For at least this reason, the cited reference fails to anticipate the present invention as recited in claim 16.

Claim 19 recites the same above-quoted language of claim 16, and is likewise deemed patentable over the cited reference for at least the same reason.

Claim 1, as amended, recites:

identifying, from the received record, a first programming category corresponding to the first program; and generating a first recommendation of the first program from a first classifier module correlated with the identified first programming category

Hendricks discloses making a recommendation based on the contents of an abstract, but fails to disclose or suggest the above-quoted feature of claim 1.

For at least this reason, Hendricks fails to anticipate the present invention as recited in claim 1.

Claims 4, 15 and 18, as amended, also recite the feature of identifying from the received record.

For at least this reason, Hendricks fails to anticipate the present invention as recited in claim 4, as recited in claim 15, and as recited in claim 18.

Support for the amendment of claims 1, 4, 15 and 18 is found in the specification (e.g., page 8, line 1 – page 9, line 11).

Each of the other rejected claims depends from a respective base claim, and is deemed to distinguish patentably over the reference at least due to its dependency.

New claim 21 finds support in the specification (e.g., page 6, lines 1-12; page 10, lines 18-21).

New claim 22 finds support in FIG. 3B, step S60, and accompanying text in the specification.


A check for \$250.00 is enclosed in payment of the fee for adding one additional independent claim in excess of three and one further, dependent claim in excess of twenty.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Dan Piotrowski  
Registration No. 42,079

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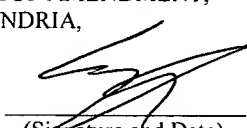
  
By: Steve Cha  
Attorney for Applicant  
Registration No. 44,069

**Mail all correspondence to:**  
Dan Piotrowski, Registration No. 42,079  
US PHILIPS CORPORATION  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001  
Phone: (914) 333-9624  
Fax: (914) 332-0615

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